

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPLICATION NO.711 OF 2014

Sayyed Jata Baba Nakhun Shah	.. Applicant.
V/s	
State of Maharashtra	.. Respondent.

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None for the Applicant.
Mrs. S.D. Shinde, APP, for the State.

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**CORAM : P.V. HARDAS &
DR. SHALINI PHANSALKAR-JOSHI, J.J.**

DATE : FEBRUARY 2, 2015

P.C.

1. The learned Counsel appointed for the Applicant is absent. The learned Counsel for the Applicant was absent when this matter appeared on board on 19th January, 2015.
2. This application has been sent by the Applicant from the Jail, requesting issuance of necessary directions, directing the Sessions Court at Dindoshi to expeditiously decide the Sessions Case No. 116 of 2011, arising from Crime No. 364 of 2010. The Applicant claims that he had been arrested and is in Jail since the Year-2010 and no progress has been made in the Sessions Case.
3. In response to the notice issued by us, the Learned APP has filed Affidavit-in-Reply. In the Affidavit-in-Reply, it is submitted

that the Applicant has been discharged in C.R.No.524 of 2006 and C.R.No.259 of 2010 registered by the Charkop Police Station. Only the Sessions Case No.116 of 2011 is pending against the Applicant.

4. It appears that for last more than three years, charge has not been framed. It appears that the Applicant had not been produced from the Jail on some occasions. We, therefore, allow this application and direct the Sessions Court at Dindoshi to expeditiously decide Sessions Case No.116 of 2011. The Sessions Judge at Sessions Court, Dindoshi will ensure that a charge is framed against the Applicant and other co-accused, within a period of three months from today and shall endeavour to decide the Sessions Trial as expeditiously as possible.
5. The application is, therefore, allowed to the extent indicated above.
6. A copy of this order, therefore, be forwarded to the Applicant, who is an under trial prisoner.